

Knox County Courthouse - I.O.O.F. Lodge No. 82
Southwest corner of 4th and Elm Streets
Niobrara
Knox County
Nebraska

HABS No. NE-27

HABS,
NEB,
54-NICH,
5-

PHOTOGRAPHS

HISTORICAL AND DESCRIPTIVE DATA

REDUCED COPIES OF MEASURED DRAWINGS

HISTORIC AMERICAN BUILDINGS SURVEY

HABS No. NE-27

KNOX COUNTY COURTHOUSE - INDIVIDUAL ORDER OF ODD FELLOWS LODGE NO. 82

- Location: Southwest corner of Elm Street and Fourth Avenue,
Niobrara, Knox County, Nebraska.
- USGS Niobrara Quadrangle, Universal Transverse Mercator
Coordinates: 14.579630.4733800
- Present Owner: United States of America (U.S. Army Corps of Engineers,
Omaha District).
- Present Use: Vacant. Scheduled to be demolished. (Demolished in
1978).
- Significance: The Knox County Courthouse, housed in the first floor, is
significant for its association with the politics and
government of Knox County from 1886 to 1906. After 1906,
the first floor served various community uses including a
post office for a number of years. The second floor of
this building was occupied for many years by the
Individual Order of Odd Fellows Lodge (I.O.O.F.) No. 82,
one of the earliest lodges in Nebraska. The building is
also significant as a representative example of local
vernacular architecture with classical features.

PART I. HISTORICAL INFORMATION

A. Physical History:

1. Date of erection: 1886.
2. Architect: According to an agreement dated May 10, 1886
(recorded at the Register of Deeds in Knox County Courthouse,
August 6, 1886 in Book 3, page 290), George G. Bayha drew up
plans for the structure and that building should be completed
on or before September 1, 1886.
3. Original and subsequent owners: Block 2, lot 1 of Starr's
Addition to West Niobrara, was purchased by George G. and
Benjamin D. Bayha, brothers, in 1886 for \$300. The brothers
and Fritz Bruns made a joint agreement on May 5, 1886 to each
have an undivided one-third interest in the "construction of
a brick building" on this lot.

An agreement two days later between the Bayha Brothers and
the Niobrara I.O.O.F. Lodge No. 82 sold the second story of
the structure to be completed "on or before 9/1/1886" to the
lodge as their "Solo property" for \$1,300.

The Bayha family retained ownership of the first floor of the building until 1945 when Louise R. Engstrom, et al, daughter of George Bayha, sold the first floor to Walter B. Sedivy for \$800.

The building had been used as a courthouse until 1902 when the county seat was moved to Center, Nebraska. Its use during the period between 1902 and 1911 is unsure although a newspaper article dated July 7, 1910, reported "The telephone central having been housed in the old courthouse is being moved to the E. A. Houston Bldg."

In 1911 the post office was moved from "the corner of Elm Street and 5th Avenue" to the first floor of the courthouse. Until its sale to Walter Sedivy, it was used not only as a post office, but also as the town council room and polling place when necessary.

The first floor under Walter Sedivy's ownership was Sedivy's Auto Repair Shop and, at that time, was altered drastically from its original appearance. In 1961, the first floor was sold to Roger Burns for \$1,800. Mr. Burns operated a trucking concern in the building. He later sold the property to Earl Crosley in 1966 who operated the space as the office and garage of the Crosley Sand and Gravel Company. The I.O.O.F. Lodge No. 82 deactivated in the 1950s and its sister lodge, the Miriam Rebekah Lodge No. 242, chartered in 1908, took the second floor of the courthouse. In 1968, the sister lodge, having formally surrendered its charter, sold the second floor to Crosley Sand and Gravel Company.

The title of the property was deeded to the U.S. Army Corps of Engineers on December 19, 1974 for \$8,600.

The following is the chain of ownership of lot 1, block 2 of Starr's Addition to West Niobrara, from the deed records at the Register of Deeds in Center, Nebraska.

- 1881 Deed August 5, 1881, recorded August 5, 1881, Book D, page 344, James Starr to Henry E. Bonesteel. For consideration of \$600 for numerous lots including the lot 1, block 2
- 1886 Deed January 13, 1886, recorded June 7, 1886, Book H, page 124, Henry E. Bonesteel to George G. and Benjamin D. Bayha. For consideration of \$300.

- 1886 Agreement May 8, 1886, recorded July 29, 1889, Book 3, page 283, George G. and Benjamin D. Bayha two-third interest, Fritz Bruns one-third interest. Joint agreement in "construction of brick building" with the three interested parties each having undivided one-third interest.
- 1886 Agreement May 10, 1886, recorded August 6, 1886, Book 3, page 290, George G. and Benjamin D. Bayha and Niobrara I.O.O.F. Lodge No. 82. For consideration of \$1,300 for the second story of structure
- 1889 Agreement May 8, 1886, recorded July 29, 1889, Book 3, page 284, Fritz Bruns to John E. Smith. One-third interest of structure in consideration of \$500 plus 10% interest due July 27, 1894 (Release December 1896, recorded July 1, 1897, Book 2, page 151).
- 1896 Assignment July 27, 1886, recorded October 15, 1896, Book 5, page 584, Fritz Bruns to John E. Smith. For consideration of \$250 plus interest due July 27, 1899.
- 1900 Deed January 3, 1900, recorded January 4, 1900, Book Y, page 25, Fritz Bruns to Carl White. For consideration of \$1,600 for one-third interest in property (block 2, lot 1, plus numerous others)
- 1900 Deed January 4, 1900, recorded January 10, 1900, Book Y, page 31, Carl White to Anna Bruns. For consideration of \$1,600 for one-third interest in property plus numerous others
- 1900 Deed January 5, 1900, recorded July 5, 1900, Book X, page 423, Anna Bruns to Fritz Bruns. For consideration of \$1,600 for one-third interest in property plus numerous others
- 1909 Deed August 9, 1909, recorded September 21, 1909, Book 38, page 583, Anna Bruns, widow, et al to G. G. and B. D. Bayha. For consideration of \$500 for one-third interest in lot and first floor of building

- 1936 Estate of George G. Bayha (died December 18, 1932), recorded May 7, 1936, Book 3, page 313, Interest in numerous buildings including interest in old Knox County Courthouse to sister-in-law and niece.
- 1941 Deed August 26, 1941, recorded May 21, 1942, Book 68, page 258, Hannah J. J. Bahya, sister-in-law of George G. Bayha to Elizabeth J. Engstrom daughter of George Bayha and beneficiary of estate. For consideration of \$1.00 (title to undivided half interest to number of buildings including Knox County Courthouse and American Legion Building).
- 1945 Deed May 31, 1945, recorded June 11, 1945, Book 71, page 195, Louise R. Engstrom (nee Bayha), et al to Walter B. Sedivy. For consideration of \$800 for first floor of structure
- 1945 Mortgage June 8, 1945, recorded July 23, 1945, Book 69, page 355, Walter B. Sedivy to Frank and Jerry Kaplan. For consideration of \$1,200 for first floor of building (Release July 11, 1950, recorded in Book 76, page 34.)
- 1956 Quit Claim Deed September 25, 1956, recorded September 27, 1956, Book 82, page 567, Niobrara I.O.O.F. Lodge No. 82 to Miriam Rebekah Lodge No. 242. For consideration of \$1.00 for first floor of building.
- 1958 Deed June 7, 1958, recorded June 18, 1958, Book 83, page 461, Walter Sedivy to Walter Sedivy and Wife. For consideration of \$1.00 for first floor
- 1960 Lis Pendens December 8, 1960, recorded December 9, 1960, Book 19, page 664, County of Knox vs. Ruth E. Strackbine, et al. Foreclosure tax sale subject to any rights of Miriam Rebekah Lodge No. 242 in second story.
- 1961 Settlement of estate of Walter Sedivy (died April 19, 1959), March 28, 1961, recorded March 29, 1961, Book 8, page 367. Property valued at \$2,000. Wife received full title as a joint tenant.

- 1961 Deed April 1, 1961, recorded April 3, 1961, Book 85, page 17, Lydia Sedivy to Roger C. Burns and Wife. For consideration of \$1,800 plus sewer assessment installations.
- 1965 Deed February 20, 1965, recorded March 26, 1965, Book 87, page 658, Roger C. Burns and wife to Roger C. Burns, et al. For consideration of \$1.00 plus tax encumbrances.
- 1966 Deed January 27, 1966, recorded January 27, 1966, Book 88, page 226, Roger C. Burns, et al to Earl Crosley and wife. For consideration of \$1,450
- 1968 Quit Claim Deed May 6, 1968, recorded April 17, 1968, Book 90, page 67, Rebekah Assembly of the Individual Order of Odd Fellows to Earl Crosley and wife. For consideration of \$1.00 (probably between \$1.00 and \$500.00).
- 1974 Deed December 19, 1974, recorded January 22, 1975, Book 96, page 710, Rose Crosley, widow to U.S. Army Corps of Engineers. For consideration of \$8,600.
4. Builder, contractor, suppliers: George G. and Benjamin D. Bayha were the contractors.
5. Original plan and construction: The county seat was established in Niobrara by the Territorial Legislature in 1857 under the name of L'eau Qui Court (Running Water in French; Niobrara means running water in Indian). This name was later changed to Knox County by a statute which took effect April 1, 1873. A courthouse was constructed and described in an autobiographical account December 17, 1869 as "built of unbarked logs in this settlement" (the original site of Niobrara). The roof of this building was made of reed and clay. A later account in the history of Nebraska written in 1880 refers to the courthouse as a two-story brick structure. This brick structure is said to have been moved to the second townsite after the flood of 1881. However, plans for a more substantial building to house the courthouse were soon discussed. Deed agreements indicate that the plans were drawn up by George G. Bayha and his brother, Benjamin D. Bayha, in agreement with Fritz Bruns. The structure was built in 1886, leasing the first floor for use as a courthouse and selling the second floor to the I.O.O.F. Lodge No. 82 with the agreement that if they disposed of this property at a later date, the Bayhas and Mr. Bruns would have first choice in its sale. Agreements indicate that the building was scheduled for completion on or before September

1, 1886. No newspaper articles could be located at this time. Commissioners' records September 13, 1886 reflect the following bills to be paid . . . "Bayha Brothers for carpenter work and materials in county offices (99.70) . . . Bayha Brothers for carpenter work and material for paupes (sic) 72.25."

6. Alterations and additions: While the second floor has remained relatively intact, the first floor has been considerably altered over the years. At the time of the move of the courthouse to Center, Nebraska, April 1902, both the commissioner's records (April 15, 1902) and the Niobrara Pioneer newspaper (April 18, 1902) indicate that the steel cage, belonging to the county, was removed from the old courthouse and transferred to Center. On April 15, 1902 during the Commissioner's meeting, the board authorized the removal of "one side (the south side according to the newspaper) of the old jail building at Niobrara for the purpose of taking out the county cell and having same placed in as good condition as before." In the fall of 1910, the Bayha Brothers painted and repaired the old courthouse in preparation for the post office which had been on the corner of 5th Avenue and Elm Street to move in February 1911. A report of the new post office appearing in the Niobrara Tribune February 10, 1911 describes the building as follows:

"The building is a brick structure, light, warm and roomy -- wider than the old building and having space for a parcel window. It has new paint, bright white walls and handy accomodations."

The building, sold in 1941 to Walter B. Sedivy, was drastically altered to accomodate its use as Sedivy's auto repair shop.

B. Historical Events and Persons Connected with the Structure:

George G. Bayha (1849-1932), building contractor and owner of the courthouse with his brother, Benjamin D. Bayha, and Fritz Bruns, was an accomplished citizen of Niobrara and significant figure in Niobrara's development. Mr. Bayha was born in Wheeling, West Virginia, where he was educated at local schools. After the Civil War, Mr. Bayha moved to Dakota City, South Dakota. He and his brother, who was also a citizen of Niobrara, came to Niobrara in 1879 as carpenters, which were needed for a growing town that originally consisted of twelve or fifteen buildings of crudest construction (Niobrara Centennial, 1856-1956).

George Bayha had strong associations with the Democratic party and in 1889 he began his political career in Niobrara. He was a treasurer of Knox County for four years, County Assessor for five years. He also became involved in state politics and on numerous occasions was a delegate to Democratic State conventions. His greatest service to Niobrara was in his numerous years as mayor. His years of service are innumerable according to newspaper articles and personal accounts.

C. Sources of Information:

1. Old views: Photocopy of the courthouse as post office, 1935. Included in the HABS collection.
2. Bibliography:
 - a. Primary and unpublished sources:

Deed Books, Register of Deeds, Center, Knox County, Nebraska.

Interviews:

Mrs. Thompson, Register of Wills, Knox County Courthouse, Center Nebraska, remembered courthouse used for voting.

Mr. Harley Eberley, Niobrara, Nebraska, August 1;5, 1977, longtime resident and businessman of Niobrara, clarified uses of building after 1910.
 - b. Secondary and published sources:

History of the State of Nebraska. Vol. I. Chicago: Western Historical Society, 1882.

Niobrara Bicentennial Committee. Niobrara Centennial 1856-1956 (updated 1976). Niobrara, Nebraska: Verdigre Eagle, 1976.

Autobiography of Joseph Sedivy. Booklet printed by the Nebraska State Historical Society (undated), held in files for Knox County.

Niobrara Pioneer. Newspaper articles, April 14, 1882.

Nioorara Tribune. Newspaper articles, April 18, 1802,
July 7, 1910, October 16, 1910, February 10, 1911,
December 19, 1932.

Prepared by: Kathryn Burns
Historian
Historic American Buildings
Survey
Summer 1977

PART II. ARCHITECTURAL INFORMATION

A. General Statement:

1. Architectural character: The building is a representative example of local vernacular architecture with classical features. This two-story brick structure, planned and built by the Bayha Brothers in 1886, is said to have used locally fired bricks made by the brothers at their kiln in the southern part of town.

Its ownership under Walter Sedivy for use as an auto repair shop from 1941 through 1961, altered the interior first floor of the building considerably; the second floor has original physical evidences of a lodge hall. The courthouse's simple classical exterior detailing, however, is intact.

2. Condition of fabric: The building is in fair condition.

B. Description of Exterior:

1. Over-all dimensions: The two-story building measures 40' x 40' (five-bays) with a rear vault 8' x 21' and a rear room 13' x 11'-6".
2. Foundations: The building sits on a coursed stone foundation.
3. Wall construction, finish and color: The walls are soft red brick set in common bond with flush joints. The brick is in deteriorating condition. Simple classical brick detailing is found with two corner pilasters supporting a heavy brick cornice line. The entire building sits on a brick sill base projecting six inches from the front facade. A four course brick belt course articulates the first and second stories. All windows and doorways have segmental arch details with those on the north and east elevations having projecting segmental hoods springing from corbelled brick supports on each side.

4. Structural system, framing: Brick bearing walls support interior framing.
5. Stoop: The front entrance is recessed with a concrete step from the sidewalk level.
6. Chimneys: Two brick chimneys are set within both the east and west side walls. The two west wall chimneys project above the parapet. The projecting stacks of those in the east walls are damaged.
7. Openings:
 - a. Doorways and doors: The north (front) entrance door has a four-panel door with a two-pane sectional arched light above. The doorway is recessed and engaged in wood vertical paneling. A side door on the east elevation is also a four-panel door which is altered by the addition of rectangular panels in the lower portion of the upper panels. A single segmental transom light is on top of this door. A vertical panel wooden south (rear) door opens into the sheltered staircase to the second story. A door off the one-story rear ell is a four-raised panel door on the west wall.
 - b. Windows: All windows, except a small two-over-two casement window at southwest location, are two-over-two double-hung sash windows vertically set and symmetrically spaced most prominently on the north (front) facade. The only pair of double-hung sash windows are located in the center of the front facade above the main entrance. Protruding window hoods are above all north and east windows and those most visible are on the west facade. All others are ornamented with simple, double course segmental arches flush with the exterior walls.
8. Roof:
 - a. Shape, covering: The main roof is a flat, sloping roof (from north to south) covered with ridged tin sheeting. Rear and side one-story projections off the building has similar roof covering and are of slope type.
 - b. Cornice: The cornice projects above the roofline in a parapet-like fashion and is decoratively supported by corner pilasters at the east and west corners of the north facade. Numerous recessed and projecting courses of bricks are based with dentil courses created by evenly spaced rowlocks. The crowning detail on the north facade is a recessed double course of brick with peculiar

arched brick mounds at each end just above the corner pilasters. The side parapet line is gradually stepped down toward the rear of the structure. The roofline is exposed on the rear elevation.

C. Description of Interior:

1. Floor plans:

- a. First floor: The first floor of this building was considerably altered since it functioned as a civic building in the early and mid-1900s. The recessed center door, opening into a large area, was partitioned off with plywood and all original interior walls were removed. A small modern office was partitioned off in the northeast corner with a seven-foot dropped ceiling.

Two vaults, with County Treasurer to the north and County clerk to the south painted over the vault openings, are the only reminiscent features of this floor's original function. The vault doors are located on the west wall and lead into the one-story structural appendage on the west of the structure. A set of double doors provide access to a small 8' x 4-1/2' vault with arched ceilings.

A small closet was partitioned off in the southeast corner of the first floor. The rear one-story appendage, 10' x 12' off the south wall, is in dilapidated condition. An exit door and a barred security window are on the west wall of this small room, possibly used as a jail. The right (west) side of the south wall contains a large wooden hinged door opening used for storing and servicing of vehicles.

- b. Second floor: Entrance to the second floor is provided by the south (rear) enclosed staircase running east-west along the south wall of the structure. A door leads into a 15' x 17' reception room. Four hinged doors, each with four raised panels, line the west wall. These originally may have been an early folding partition which allowed for enlarging the room area. The two southwest doors were made inoperable by additions in the next room to the west. This room west of the reception room houses a lavatory and coat rack abutting the two southwest doors previously mentioned. Closet-storage space occupies the extreme southwest corner. A door on the north wall of a lavatory-coat rack room provides access to the main lodge hall of the I.O.O.F. (later the Rebekah Lodge). This room, approximately 22' x 37', is at the front of the building and runs the full width of the structure.

Raised flooring creates elevated tiers at the east and west walls and a single tier along the north wall. This room has good proportions and is naturally lighted from the windows lining three walls.

2. Stairways: The enclosed outer stairway to the second floor runs from the east to west along the south wall and is of dimensional lumber. The enclosure is composed of mineral surface asphalt tiles on sides and roof.
3. Flooring: The first floor was altered to accommodate the most recent use; the east half has even-width wood flooring and the west half has poured concrete. An exposed sill beam running north and south dividing wood and concrete reveal large metal treenails coupled to secure flooring. The rear one-story room has a dirt floor. The floor of the inner vault area is concrete. The second floor has linoleum sheets covering the east and middle rooms in the rear of the structure. All other areas are even-width wood floor with the exception of the elevated floor areas in the lodge hall which are carpeted with a dark floral patterned rug.
4. Wall and ceiling finish: All walls are painted plaster over horsehair plaster and lath. Ceilings are of similar composition. The most decorative treatment appears in the second floor lodge room with wide, molded chair railings and simple baseboards of painted woodwork. A cornice detail is created by slanting side walls to meet ceiling walls. The transition of planes between the flat ceiling and flat side walls is articulated with quarter round moldings painted gold.
5. Doorways and doors: One interior four-raised panel door leads from the main first floor interior space into the rear one-story appendage. Two vault doors on the west, first floor wall are of heavy steel with combination locks. These doors were patented in 1883 by Mosler, Bohmann and Company of Cincinnati, and have small painted landscape scenes as decorative details. A second steel double door is set about three feet into each vault area.
6. Decorative features and trim: Two chain-hung glass globe chandeliers are suspended from ornate plaster circular medallions approximately two feet in diameter in the second floor lodge room.

7. Mechanical equipment:

- a. Heating: A modern propane gas space heating unit is used on the first floor. The second floor most likely is heated by coal stoves.
- b. Lighting: Incandescent lighting is used throughout the building. Exposed electrical wiring is visible on the second floor. Pairs of single wires are attached to the ceiling by porcelain insulators.

D. Site

1. General setting and orientation: The building occupies the southwest corner lot at the intersection of Fourth Avenue and Elm Street. The front facade faces north.

Prepared by: Perry Benson
Architect
Historic American Buildings
Survey
Summer 1977
and
Kathryn Burns
Historian
Historic American Buildings
Survey
Summer 1977

PART III. PROJECT INFORMATION

The Niobrara project was undertaken by the Historic American Buildings Survey (HABS) in co-operation with the citizens of the Village of Niobrara. The project was funded by the U.S. Army Corps of Engineers, Omaha District, in compliance with Executive Order 11593 as a mitigative effort in the construction of the Gavins Point Dam and Lewis and Clark Lake. Under the direction of John Poppeliers, chief of HABS, the project was completed in the HABS Field Office in Niobrara, Nebraska during the summer of 1977 by project supervisor Perry Benson (University of Pennsylvania), project historian Kathryn Burns (George Washington University), team foreman Larry Jones (Texas Tech University) and student architects Peter Darlow (McGill University), Lisa Becker (Notre Dame University) and Darl Rastorfer (University of Pennsylvania). The written historical and architectural data was prepared by Kathryn Burns, and edited by Susan McCown, a historian in the HABS office in August 1979. Two exterior photos were taken by Sam Amato in the fall of 1977.